

REMARKS

Claims 1-25 remain in the application and claims 1, 13, 14, 16, 17, 20, and 23-25 have been amended hereby.

Reconsideration is respectfully requested of the rejection of claims 1-8, 10, 13-20, 22, and 25 under 35 USC 102(b), as being anticipated by Yanase et al.

Features of the communication system according to the present invention are a first apparatus (70 in Fig. 1) having a first storage medium (106 in Fig. 5) and a second apparatus (50 in Fig. 1) for transmitting data to the first apparatus, wherein the first apparatus is portable and includes a playback system (115-118 in Fig. 5). Independent claims 1, 13, and 15 have been amended to recite these features of the present invention.

Looking at Yanase et al. we see that the servers (3, 41, 43, or 25 in Figs. 3 and 4) pointed to as being the cited first apparatus are not portable. Further, the servers in Yanase et al. do not include the claimed reproducing means for reproducing data stored in a first storage medium

Accordingly, it is respectfully submitted that amended independent claims 1, 13, and 25, and the claims depending therefrom, are not anticipated by Yanase et al.

Applicant acknowledges the Examiner's finding of Allowable Subject Matter in claims 9, 11, 12, 21, 23, and 24 as stated in the Office Action at paragraph 3.

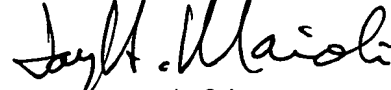
The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

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Favorable reconsideration is earnestly solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in black ink, appearing to read "Jay M. Maioli". The signature is written in a cursive, flowing style.

Jay M. Maioli
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JHM/PCF:gr

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